App. F. IX-4

1927. (Courts)

File No. 69-27

Serial Nos. 4

Previous References
Ch 69-27-2
" 69-27-3

Later References

PRESERVED

General and Revenue Secretariat.

Serial Nos. One

Part B for February 1928.

SUBJECT

Soliciting orders in the matter of giving effect to the revised scale of the ministerial establishment of the Judicial Department sanctioned in GO no P 2275-6/Ch 69-27-2 dt 3-11-27.

Vide GO no PL 6777-8/S.7.108-27-2 dt 15-2-28 (copy placed in the file)

M Iyengar
18/2/28

G. R. S. APP F.III—1] 1927-8

GENERAL AND REVENUE SECRETARIAT.

(Ct)

NOTES.

File No. 69.27

FILE HEADING.

Revision of the ministerial establishments of the civil courts in the State

FROM

The Dep. Hindi Court

Roc No. 743 Dated 23.1.28 Received 23.1.28

Diary No. 3612	Enclos. 1 Spare copies	Serial No. 4

BRIEF ABSTRACT OF LETTER.

Forwards a copy of letter dt 18.1.28 from the comptroller the H. Govt Govt. suggesting that the revision of the establishment of the civil courts may be given effect to from the date of the order fixing the pay of each clerk in the revised scale and instead of from the 16th October 1927 and states that the suggestion of the comptroller will result in hardship and disappointment to the officials of the Department and requests that the date of grant of increment may not be postponed.

NOTES AND ORDERS.

The comptroller in his letter states that the Subordinate Courts are continuing to draw acting allowances according to the old scale even though the revised progressive pay scale of pay has been sanctioned from 16-10-1927. He ~~therefore~~ apprehends that if the ~~present order~~ issue of the

NOTES—First Sheet.

App. F. III—2]

General and Revenue Secretariat. | File No. 69 of 1927.

Serial No.

order fixing the pay of each official in the new scale will take some time. There will be much confusion in the auditing of arrear claims as acting allowances (hitherto drawn under the old scale). It was ascertained from the Chief Court that the Comptroller has not passed allowances for acting arrangements from the date of fixing the revision of the scale of pay (vide U.O. No. 27) in so far as the Chief Court is concerned. It seems that the officials of the subordinate courts, where postal-cum-cash system is in force, have drawn acting allowances. The Comptroller may be requested to issue orders to not draw the acting allowances drawn in the next month's pay bill. If this course is adopted, there will be no confusion as apprehended by the Comptroller.

2. The Chief Court have pointed out that it will be a great hardship and disappointment to the officials if the date of movement is postponed as suggested by the Comptroller. The Chief Court have stated that the final statements fixing the pay of the officials in the new scale will be forwarded to Govt. early for orders. The H. Scott may be cancelled.

24-1-28 3. It would be hard on the officials to postpone the date of giving effect to the orders. The Hindi Teacher may be cancelled.

24/1

NOTE—Contn. sheet.

WD 0324 -GPB—60,000—24-5-27

The H. Branch file (Legal D) 28/1

26/1/28 on the subject is linked (H. Section) 25/1.

3612

App. F. III—2]

General and Revenue Secretariat. | File No. 69 of 1927.

Serial No.

H: 1938 by 26/1

The Chief Court may perhaps issue circular instructions to all Courts to short-draw the acting allowances drawn from 1/4/10-1927, if the suggestion of the Comptr. is not to be adopted.

H. Secy) 26/1/28

Read on 27/1 at 11-30 am.

10700 27/1

6 This is another reference sent from the Comptr. today. Please put up.

27.1.28

7 Please put up

27/1/28

8

H. J.

The comptroller's reference is put up.

Secy 27/1/28

H. Secy) 27/1/28

H: 1938

10788

FINANCIAL SECRETARY
30 JAN. 1928
No. 10908.

9 I have already dealt with this case

30/1/28

10 Perhaps the case referred to by H. Secy has been dealt with in the H. Branch. The papers relating to every Ministry should be connected to be put up.

H. Asstt Secy) 2/2

Re. 6 H 2144/27

Please send.

2/2/28

NOTE—Contn. sheet.

WD 0324 -GPB-60,000-24-5-27

3612 4

App. F. III—2]

General and Revenue Secretariat.

No File No. 69 of 1927.

Serial No.

21&4-27

1 ✓

G ? file 108-27 Containing the ~~previous~~ papers on the Subject is put up. This may kindly be returned when done with.)

Supdt. Protection 15/2

Branch)

Subd and ~~upto~~ upto para 10

15/2

The P.-O.-G 15-2-1928 (vide linked file) issued from the Pt. Branch disposes of this matter. The papers may be filed.

Secy) 16/2

16/2/28

Yes 17.2

17/2

NOTE—Contn. sheet.

WD 0324—GPB—60,000—24-5-27

Telgm :
"JUSTICE"

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore 23rd January *192* 8.

R. O. C. No. 743

Cts 69-27-4

FROM

A. Sreenivasaragavachari, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

B. Nagappa, Esq., Bar-at-Law.,
Secretary to Government,
Law Department,
Bangalore.

SIR,

In forwarding herewith copy of letter No.TAD.A.1113 dated the 18th January 1928, from the Comptroller to the Financial -- Secretary to Government, I am directed to state that in Government Order No.P.2275-6/Cts.69-27-2 dated the 3rd November 1927 it has been ordered that the revised scale for the ministerial establishments of the Chief Court and civil courts should come into effect from 14th October 1927. On receipt of the Government Orders regarding the revised scale of the ministerial and process establishments, steps are being taken, in consultation with the District Judges, to fix the pay of each official and member of the process establishment in the new revised scale having regard to the length of service, etc., and complete -- proposals will be sent up to Government within three weeks or a month from this date.

2. I am to observe that as the revised scale affects a very large number of officials, amins and process servers, some time must necessarily be allowed to work up the allocation proposals comprehensively and accurately, complicated as they were by the establishment of new courts and revision of the scale of establishment of some of the existing courts, and the necessity to consult the District Judges of all the three Divisions before final proposals are submitted to Government.

3. I am to bring to the notice of Government that the allocation of the establishment of the Comptroller's -- office sanctioned in Government Order No.2731-G.F.92-17-11 dated 10th December 1918, was made to have retrospective effect from 26th February 1918, the date of the Government Order sanctioning the revision, each official thereby getting the benefit of the new scale with retrospective effect for a period of 10 months. Moreover, when even in the case of a compact single office like that of the -- Comptroller a revised scale was sanctioned in Government Order Fl.634-G.F.260-25-2 on the 28th July 1926, and the statement of allocation was forwarded by him to Government about a month and a half thereafter, viz., on 16th September 1926, in the case of a Department like the Judicial Department consisting of 419 hands in the clerical line and 657 hands in the process establishment, it is not easy to fix up the allocation without obtaining statements and informations from subordinate Courts which will necessarily involve more time.

4. The leave vacancies as well as acting promotions -- referred to by the Comptroller when compared with the -- total number of appointments will not form any appreciable or material percentage of the total number of hands and the difficulty put forward by the Comptroller in verifying acting allowances and increments, etc. will not be so great as is apprehended by him. When pay is drawn according to the revised scale after individual allocations are sanctioned by Government any acting allowances that may have been drawn by a particular official in excess of what he would be entitled to under the new scale will be given -- deduction. Every revision of scale must necessarily -- involve some extra work both on the part of the department as well as on the Audit Office, but this reason, I am to

observe

observe, will not justify the postponement of giving effect to the small increase in pay which the majority of clerks in the Department will get under the revised scale from -- 14th October 1927, to a future date, although it may -- result in some savings to Government.

5. The Comptroller's proposal for pay being drawn according to the old scale till the allocation proposals are -- sanctioned by Government, will lead to this difficulty viz., that the minimum pay of some appointments is less than -- what the men who now hold those posts are drawing, as some of the experienced officials getting a pay in the old scale which is more than the minimum of the new posts, have been transferred to the newly established courts and fixed up in the new posts.

6. I am to observe that the question of revision of pay of the Judicial Department was being represented to -- Government for the last 5 or 6 years but was postponed only on account of financial exigencies, and it was possible to give effect to it ultimately from 14th October 1927. -- There are several instances in which such revision of pay has been given retrospective effect extending over many years. For example, the recommendations of the Public Services Commission in British India were given retrospective effect, in some cases extending over two and three years. In the case of this Department, unless the revision is to have effect from the date fixed in the order of Government viz., 14th October 1927, and if on account of extraneous -- considerations, such as the small extra work that may be -- thrown on the Audit Office as apprehended by the Comptroller it will result in considerable hardship and disappointment to the officials of the Department who have been waiting for many years, in the hope of getting the small benefit involved by the revised scale.

4

7. I am therefore to request that Government may be pleased not to order the postponement of the date of the grant of increments, as suggested by the Comptroller and that it may be pleased to give effect according to the -- order of Government from 14th October 1927. I am to -- add that special efforts are being made both by this -- office and in the subordinate courts to compile the final proposals for submission of the same to Government as -- early as practicable.

I have the honour to be,

Sir,

Your most obedient servant,

Abeemisadopaveham

23/1/28

Registrar.

RV.

5

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
Bangalore, dated 18th January 1928.

No. TADA. 1115

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

B. SRINIVASA IYENGAR, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Financial Department.

Sir,

With reference to Government Orders Nos. P. 2275-6/Cts. 69-27-2 and P.2905-4/Cts.181-25-5 dated 3-11-27 and 1-12-27 - respectively sanctioning a progressive scale of pay for the -- clerical and process establishments of all the Civil Courts in the State including the Chief Court, I have the honour to state that the Subordinate Courts are continuing to draw acting allowances in leave vacancies and also increments according to old -- scale of pay. As the revised scale of progressive pay has been ordered to be given effect ~~fxm~~ to from 14-10-27 there will be -- much difficulty in verifying acting allowances and increments -- according to the new scale if allocation of pay is not sanctioned immediately. Should there be any difficulty in sanctioning the allocation immediately, it would be convenient to give effect to it only from the date of sanction, to avoid confusion in auditing arrear claims - the old scale being in force until that day. I therefore request that you will be so good as to obtain early -- orders of Government in the matter.

I have etc.,
Sd/- S. Shamanna.
COMPTROLLER.

KVN/-

Copy Accountant General's Records 23/1/28

t 4065
P 27

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

Read:—

Letter No.I.A.D.A 1113 dated 18th January 1928 from the Comptroller, soliciting orders in the matter of giving effect to the revised scale of the ministerial establishment of the Judicial Department sanctioned in the Government Order No.F.2275-6/Cts.69-27-2 dated 3rd November 1927.

2. Letter No.743/27-28 dated 23rd January 1928 from the Registrar, Chief Court, on the same subject.

ORDER NO: FL: 6777-8/G.S 108-27-2

Dated, Bangalore, the 15.2.28

Pending sanction to the allocation proposals to be sent up by the Chief Court, Government direct that the old scale be continued to be in force and that acting and other allowances to officials be regulated according to old scale. Government are of opinion that after the allocation in the revised scale is fixed up permission should be given to the officials to count time for increments with effect from 14th October 1927 with no claim to back pay as decided in Government Order No.Fl.634/G.F.260-25-2 dated 28th July 1926 in the case of re-allocation of the Comptroller's Office, Establishment. Orders in this behalf will issue to him when fixing the position of the several officials of the Judicial Department establishments in the new grades.

M Viswanadhan
for Financial Secretary to Government.

To

The Comptroller to Government.
" Registrar, Chief Court, ~~with a covering letter.~~

Copy to Protection Branch

Submitted for perusal. This will be kept in the file of this Branch relating to the same subject. (Vide Govt No 3612 G.S 27-28)